

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

1

The Minutes

January 7, 2002

- C033202 THE PEOPLE v. TURNER (Not for Publication)**
The judgment is affirmed.
 DAVIS, J.
We concur: Sims, Acting P.J.
 Morrison, J.
- C036019 THE PEOPLE v. ROBERSON, JR. (Not for Publication)**
The order granting probation is affirmed.
 DAVIS, Acting P.J.
We concur: Raye, J.
 Hull, J.
- C037790 MEDICAL BOARD OF CALIFORNIA v. THE SUPERIOR COURT OF
SACRAMENTO COUNTY and McLEOD (Not for Publication)**
The judgment granting the peremptory writ of administrative mandate is reversed and the case remanded to the trial court with directions to recall the peremptory writ and to enter judgment denying the petition. When this decision becomes final, the stay is to be vacated. The alternative writ, having served its purpose, is discharged. Petitioner shall recover the costs of this proceeding.
 RAYE, J.
We concur: Blease, Acting P.J.
 Sims, J.
- C036894 In re CHRISTOPHER W.; THE PEOPLE v. CHRISTOPHER W. (Not for Publication)**
This matter is remanded to the juvenile court with directions to determine whether an appropriate determination regarding the minor's education needs has been made. If no such determination has been made, the court is directed to do so in compliance with rule 1493 (d) (5). The judgment (order committing the minor to the Youth Authority) is affirmed.
 CALLAHAN, J.
We concur: Sims, Acting P.J.
 Hull, J.
- C038864 In re ISRAEL A. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH
AND HUMAN SERVICES v. MANUEL A., SR. (Not for Publication)**
The juvenile court order is affirmed.
 CALLAHAN, J.
We concur: Blease, Acting P.J.
 Nicholson, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

2

The Minutes

January 7, 2002, continued

AMENDED

C036987 SOLIS et al. v. KIRKWOOD RESORT COMPANY
BY THE COURT:
Respondent's petition for rehearing is denied.
SIMS, Acting P.J.

January 8, 2002

C034860 THE PEOPLE v. LEWIS et al. (Not for Publication)
The judgment is affirmed.
NICHOLSON, J.
We concur: Scotland, P.J.
Raye, J.

C035531 THE PEOPLE v. MACK (Not for Publication)
The judgment is affirmed.
SCOTLAND, P.J.
We concur: Nicholson, J.
Callahan, J.

C036620 THE PEOPLE v. CRESPO (Not for Publication)
The judgment is affirmed.
NICHOLSON, J.
We concur: Scotland, P.J.
Callahan, J.

C037155 THE PEOPLE v. VANG (Not for Publication)
The judgment is affirmed.
NICHOLSON, J.
We concur: Davis, Acting P.J.
Morrison, J.

C036193 EMERY, JR. v. VISA INTERNATIONAL SERVICE ASSOCIATION et al. (Not for Publication)
The judgment is affirmed.
RAYE, J.
We concur: Scotland, P.J.
Davis, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

3

The Minutes

January 8, 2002, continued

C036429 ZOCHLINSKI v. HANDY et al. (Not for Publication)
The judgment is reversed as to the U.C. defendants. If the trial court desires to enter an order dismissing the action pursuant to its discretionary powers, it must so state. The judgment of dismissal in favor of Yau is affirmed. The parties shall bear their own costs on appeal. (Cal Rules of Court, rule 26(a).)
 BLEASE, J.
We concur: Scotland, P.J.
 Kolkey, J.

January 9, 2002

C036484 THE PEOPLE v. NAYLOR (Not for Publication)
The order denying defendant's request for a show cause hearing is reversed. The matter is remanded to the superior court for further proceedings in compliance with People v. Cheek, supra, 25 Cal.4th 894.
 CALLAHAN, J.
We concur: Scotland, P.J.
 Morrison, J.

C038699 THE PEOPLE v. KING (Not for Publication)
The judgment is affirmed.
 CALLAHAN, J.
We concur: Scotland, P.J.
 Nicholson, J.

**C035486 CITY OF OAKLAND v. CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT
SYSTEM et al. and UNITED PUBLIC EMPLOYEES' LOCAL 790 etc.
 (Certified for Publication)**
The judgment is reversed with directions to deny the City's petition for writ of mandate. The City shall pay the Servicemen's and the Board's costs of this appeal.
 MORRISON, J.
We concur: Sims, Acting P.J.
 Raye, J.

**C037055 SHIVERS v. YUBA COMMUNITY COLLEGE DISTRICT et al.
 (Not for Publication)**
The order denying defendants' motion to strike is reversed. Defendants are entitled to an award of costs on appeal. The case is remanded to the trial court to award reasonable attorney fees incurred in the trial court and on appeal.
 RAYE, J.
We concur: Scotland, P.J.
 Nicholson, J.

January 9, 2002, continued

Davis, J.

Callahan, J.

Callahan, J.

Davis, J.

Morrison, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

5

The Minutes

January 10, 2002, continued

- C037980 THE PEOPLE v. MIXON (Not for Publication)**
The judgment is modified to strike three of the five-year state prison enhancements under section 667, subdivision (a). In all other respects, the judgment is affirmed. The trial court is directed to prepare an amended abstract in accordance with this opinion and to send a certified copy of the amended abstract to the Department of Corrections.
 DAVIS, J.
We concur: Sims, Acting P.J.
 Morrison, J.
- C038803 In re S.F.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. A.M. (Not for Publication)**
The order terminating appellant's parental rights is affirmed.
 RAYE, J.
We concur: Scotland, P.J.
 Blease, J.
- AMENDED**
- C030695 DELMAN et al. v. CALIFORNIA FARM INSURANCE COMPANY, etc.**
BY THE COURT:
Respondent Lone Tree Cattle Ranch (Lone Tree) petitions for rehearing on the ground that this court's decision expressed no opinion on the subrogation rights of its insurer, State Farm Fire & Casualty Company (State Farm), and declined to decide "whether or how the collateral source rule might be applied where the insurer does sue as subrogee."...Accordingly, the petition for rehearing is denied.
FOR THE COURT:
 Blease, Acting P.J.
 Davis, J.
 Kolkey, J.

January 11, 2002

- C035926 THE PEOPLE v. BOGGS (Not for Publication)**
The judgment is affirmed.
 SIMS, Acting P.J.
We concur: Raye, J.
 Hull, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

6

The Minutes

January 11, 2002, continued

- C037978 THE PEOPLE v. HERRICK (Not for Publication)**
The judgment is modified to provide for 12 conduct days for a total of 94 days of presentence custody credit. The trial court is directed to prepare an amended abstract of judgment accordingly and to forward a certified copy to the Department of Corrections. As modified, the judgment is affirmed.
SIMS, Acting P.J.
We concur: Morrison, J.
Hull, J.
- C036413 FOX v. FOX (Not for Publication)**
The judgment is affirmed.
BLEASE, Acting P.J.
We concur: Nicholson, J.
Raye, J.
- C036481 RATH v. SACRAMENTO COUNTY DEPUTY SHERIFFS' ASSOCIATION (Not for Publication)**
the judgment is reversed with directions to enter judgment in favor of SCDSA shall recover costs of appeal.
DAVIS, Acting P.J.
We concur: Nicholson, J.
Morrison, J.